



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1631  
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PATENT APPLICATION  
AUG 07 2001

TECH CENTER 1600/2900

In re Application of:

Steven J. LAKEN, et al.

Serial No.: 09/774,021

Filed: January 31, 2001

) Group Art Unit: 1631

) Examiner: To be assigned

) Attorney Docket No. 01107.00088

For: GENOTYPING BY MASS SPECTROMETRIC ANALYSIS OF SHORT DNA FRAGMENTS

**PETITION AND PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1. 78(a)(3), Applicants request consideration of the claim for priority in this Preliminary Amendment. The entire delay in making this claim was unintentional.

Please charge our Deposit Account No. 19-0733 in the amount of \$1,240.00 for the petition fee as set by 37 C.F.R. § 1.17(t). However, if the calculated fee is not correct, you are authorized to charge any additional fee to our Deposit Account No. 19-0733.

Prior to examination on the merits of the divisional application filed on January 31, 2001, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

Please amend the specification as follows:

On page 1, please replace paragraph 1 with the following rewritten paragraph:

*N.C.  
All rights reserved*  
--This application is a divisional of U.S. Patent Application Serial No. 09/198,340 filed November 24, 1998, abandoned. The U.S. Government retains certain rights in this invention due to funding of grant CA43460 awarded by the National Institutes of Health.--

**REMARKS**

The above amendment has been presented to insert Applicants' claim for priority of a related application.

Entry of this Preliminary Amendment is respectfully requested.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated:

August 1, 2001

By:

  
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